

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ATLANTIC MEDICAL CENTER, et al,

Plaintiffs,

v.

THE COMMONWEALTH OF PUERTO RICO,
et al.

Defendants,

CIVIL NO. 06-1291 (GAG)

ORDER

This week the parties have filed multiple pleadings in relation to pending discovery issues in this case. The undersigned is flabbergasted by the parties' failure and inability to reach an agreement as to the pending discovery issues. Discovery proceedings in this case have entailed an inordinate amount of motions regarding discovery conflicts which are disrupting this Court's efficient use of time and resources – "the type best reserved for the sandbox spats of children rather than advocacy in a federal court." American Medical Systems, Inc. v. Medical Engineering Corp., 794 F.Supp. 1370, 1399 (E.D. Wisconsin 1992).

The parties are strongly encouraged to solve this kind of discovery disputes among themselves without further intervention from the Court.

In any event, the Court has referred to the undersigned Docket Nos. 355, 358 and 359. These motions are GRANTED IN PART AND DENIED IN PART as follows:

The parties are to continue with their good faith efforts to conclude the pending depositions on or before May 30, 2008. If the depositions are not concluded within this deadline after considerable efforts by the parties, the parties shall meet and submit to the Court

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on June 2, 2008 by 3:00 pm an itemized **joint** schedule of the depositions which are pending (including those which have started and have not concluded) and the days and times in which all counsel are available for the taking of the same. Said pending depositions shall be scheduled and completed on or before June 11, 2008. NO FURTHER EXTENSION OF TIME WILL BE GRANTED.

The parties shall also discuss at the meeting any pending written discovery and production of documents. Any pending production of documents shall be done by the parties on or before June 2, 2008.

Since the Court is seriously considering imposing sanctions to both parties, the request for sanctions against defendants is DENIED WITHOUT PREJUDICE.

The parties are once again advised that non-compliance with the orders of the Court or further delay in the production of the documents ordered by the Court may entail the impositions of sanctions under FRCP 37, including the striking out of pleadings, defenses or parts thereof, among others.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 29th day of May of 2008.

s/**CAMILLE L. VELEZ-RIVE**
CAMILLE L. VELEZ-RIVE
UNITED STATES MAGISTRATE JUDGE